

IAP12 Rec'd PCT/PTO 27 AUG 2007

PATENT
ATTORNEY DOCKET NO. 50026/063001

Certificate of Mailing: Date of Deposit: August 24, 2007

I hereby certify under 37 C.F.R. § 1.8(a) that this correspondence is being deposited with the United States Postal Service as **first class mail** with sufficient postage on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Megan Kiley
Printed name of person mailing correspondence

Megan Kiley
Signature of person mailing correspondence

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Hayashi et al.	Confirmation No.:	5427
Serial No.:	10/599,176	Art Unit:	1645
Filed:	September 21, 2006	Examiner:	Not Yet Assigned
Customer No.:	21559		
Title:	BONE MARROW-RELATED CELLS ASSOCIATED WITH TISSUE MAINTENANCE AND/OR REPAIR		

Mail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Applicants submit the references listed on the enclosed Form PTO-1449, copies of which are enclosed, with the exception of U.S. patents and published U.S. patent applications. A copy of a search report from a corresponding international application is also enclosed.

WO 97/16539, WO 00/70070, WO 00/70055, WO 01/53491, WO 02/00264, WO 02/42481, WO 02/100441, WO 03/025570, and WO 2004/074494 are written in the Japanese language. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit English language translations for these publications.

In accordance with 37 C.F.R. § 1.98(a)(3), Applicants submit concise summaries of three references written in the Japanese language and cited on the enclosed Form PTO-1449 (Iida, Kuroyanagi, and Takahashi).

Applicants note that Japanese Patent Application No. 9-501837, written in the Japanese language, is a patent family member of U.S. Patent No. 6,210,963. In accordance with 37 C.F.R. § 1.98(a)(3), Applicants cite U.S. Patent No. 6,210,963 on the enclosed Form PTO-1449.

Submission of this statement is not a representation that a search has been made, nor is the inclusion of information in this statement an admission that the information is material to patentability.

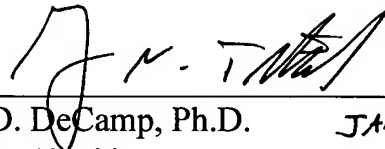
This statement is being filed before the receipt of a first Office action on the merits.

If there are any charges or any credits, please apply them to Deposit Account

No. 03-2095.

Respectfully submitted,

Date: 24 AUGUST 2007


James D. DeCamp, Ph.D.
Reg. No. 43,580

FOR
JAN M. TITTEL, Ph.D.
Reg. No. 52,290

Clark & Elbing LLP
101 Federal Street
Boston, MA 02110
Telephone: 617-428-0200
Facsimile: 617-428-7045

SUBSTITUTE FORM PTO-1449 (MODIFIED) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 C.F.R. § 1.98(b))	Attorney Docket No.	50026/063001
	Serial No.	10/599,176
	Applicant	Hayashi et al.
	Filing Date	September 21, 2006
	Group	1645
	IDS Filed	August 24, 2007

U.S. PATENT DOCUMENTS			
Examiner's Initials	Document Number	Publication Date	Patentee or Applicant
	6,210,963	Apr. 3, 2001	Haddada et al.
	6,645,760	Nov. 11, 2003	Nagai et al.
	6,723,532	Apr. 20, 2004	Nagai et al.
	7,101,685	Sep. 5, 2006	Nagai et al.
	7,226,786	Jun. 5, 2007	Kitazato et al.
	2002/0169306	Nov. 14, 2002	Kitazato et al.
	2003/0022376	Jan. 30, 2003	Kitazato et al.
	2003/0166252	Sep. 4, 2003	Kitazato et al.
	2003/0170210	Sep. 11, 2003	Masaki et al.
	2003/0170897	Sep. 11, 2003	Imai et al.
	2004/0005296	Jan. 8, 2004	Yonemitsu et al.
	2004/0101965	May 27, 2004	Griesenbach et al.
	2004/0234502	Nov. 25, 2004	Hamada et al.
	2005/0130123	Jun. 16, 2005	Inoue et al.
	2005/0266566	Dec. 1, 2005	Nagai et al.
	2007/0009949	Jan. 11, 2007	Kitazato et al.
	2007/0036756	Feb. 15, 2007	Hamada et al.

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION				
Examiner's Initials	Document Number	Publication Date	Country or Patent Office	Translation (Yes/No)
	JP 9-501837	Feb. 25, 1997	Japan	No
EXAMINER			DATE CONSIDERED	
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.				

SUBSTITUTE FORM PTO-1449 (MODIFIED) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 C.F.R. § 1.98(b))	Attorney Docket No.	50026/063001
	Serial No.	10/599,176
	Applicant	Hayashi et al.
	Filing Date	September 21, 2006
	Group	1645
	IDS Filed	August 24, 2007

FOREIGN PATENT OR PUBLISHED FOREIGN PATENT APPLICATION				
	EP 0864645	Sep. 16, 1998	EPO	
	EP 1186667	Mar. 13, 2002	EPO	
	WO 97/16539	May 9, 1997	WIPO	Yes
	WO 00/70055	Nov. 23, 2000	WIPO	Yes
	WO 00/70070	Nov. 23, 2000	WIPO	Yes
	WO 01/53491	Jul. 26, 2001	WIPO	Yes
	WO 02/00264	Jan. 3, 2002	WIPO	Yes
	WO 02/38726	May 16, 2002	WIPO	
	WO 02/42481	May 30, 2002	WIPO	Yes
	WO 02/100441	Dec. 19, 2002	WIPO	Yes
	WO 03/025570	Mar. 27, 2003	WIPO	Yes
	WO 2004/074494	Sep. 2, 2004	WIPO	Yes

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)	
	Copy of the International Search Report for PCT/JP2005/005144, mailed on August 16, 2005.
	Duan et al., "Treatment of myocardial ischemia with bone marrow-derived mesenchymal stem cells overexpressing hepatocyte growth factor," <i>Mol. Ther.</i> 8(3):467-74 (2003).
	Feldman et al., "Adenovirus mediated alpha interferon (IFN- α) gene transfer into CD34 ⁺ cells and CML mononuclear cells," <i>Stem Cells</i> 15(5):386-95 (1997).
	Iida and Hasegawa, "Development of a novel cytoplasmic RNA vector based on the reverse genetics of Sendai virus: a breakthrough to the cytoplasmic gene therapy," <i>Tanpakusitsu Kakusan Koso.</i> 48(10):1371-7 (2003) with English language summary.
	Jiang et al., "Pluripotency of mesenchymal stem cells derived from adult marrow," <i>Nature</i> 418(6893):41-9 (2002).
	Krause et al., "Multi-organ, multi-lineage engraftment by a single bone marrow-derived stem cell," <i>Cell</i> 105(3):369-77 (2001).

EXAMINER	DATE CONSIDERED
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.	

SUBSTITUTE FORM PTO-1449 (MODIFIED) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) (37 C.F.R. § 1.98(b))	Attorney Docket No.	50026/063001
	Serial No.	10/599,176
	Applicant	Hayashi et al.
	Filing Date	September 21, 2006
	Group	1645
	IDS Filed	August 24, 2007

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PLACE OF PUBLICATION)	
	Kuroyanagi, "Regenerative medicine for skin," <i>Saisei Iryo</i> 2(3):39-45 (2003) with English language summary.
	Li et al., "A cytoplasmic RNA vector derived from nontransmissible Sendai virus with efficient gene transfer and expression," <i>J. Virol.</i> 74(14):6564-9 (2000).
	Masaki et al., "Angiogenic gene therapy for experimental critical limb ischemia: acceleration of limb loss by overexpression of vascular endothelial growth factor 165 but not of fibroblast growth factor-2," <i>Circ. Res.</i> 90(9):966-73 (2002).
	Ohashi et al., "Reduction of lysosomal storage in murine mucopolysaccharidosis type VII by transplantation of normal and genetically modified macrophages," <i>Blood</i> 95(11):3631-3 (2000).
	Ohlsson et al., "Mesenchymal progenitor cell-mediated inhibition of tumor growth in vivo and in vitro in gelatin matrix," <i>Exp. Mol. Pathol.</i> 75(3):248-55 (2003).
	Studený et al., "Bone marrow-derived mesenchymal stem cells as vehicles for interferon- β delivery into tumors," <i>Cancer Res.</i> 62(13):3603-8 (2002).
	Takahashi, "Regeneration of central nervous system by using stem cells," <i>Saisei Iryo</i> 2(2):67-74 (2003) with English language summary.
	Terai et al., "An <i>in vivo</i> model for monitoring <i>trans</i> -differentiation of bone marrow cells into functional hepatocytes," <i>J. Biochem.</i> 134(4):551-8 (2003).

EXAMINER	DATE CONSIDERED
EXAMINER: Initial citation considered. Draw line through citation if not in conformance and not considered. Include copy of this form with the next communication to applicant.	